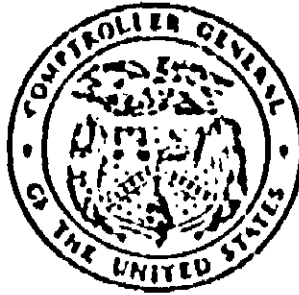


DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-207122

DATE: August 24, 1982

MATTER OF: Alfred D. Stites - Reimbursement of expenses
incurred in moving mobile home

DIGEST: An employee who was reimbursed expenses for shipping his household goods pursuant to a permanent change of station subsequently moved his mobile home from the old to the new duty station. The employee may be reimbursed costs of moving his mobile home not to exceed the maximum amount allowable for household goods shipment, with a deduction for amounts previously paid to him for shipping his household goods. Although an employee is not entitled to be reimbursed both for the cost of shipping his household goods and for expenses relating to transportation of his mobile home, he may elect to be reimbursed the larger of the cost of shipping his household goods or moving his mobile home, within the statutory limitation.

This decision is in response to a request for an advance decision from Thomas R. Lab, an authorized certifying officer of the Bureau of Reclamation, Upper Colorado Regional Office, U.S. Department of the Interior. The request concerns the propriety of certifying for payment a reclaim voucher submitted by Mr. Alfred D. Stites, an employee of the Bureau of Reclamation, for reimbursement of expenses incurred by him in transporting his mobile home in connection with his transfer of official station from Aston, Idaho, to Duchesne, Utah, in June 1981.

The issue for determination is whether Mr. Stites is entitled to reimbursement for expenses incurred in the movement of his mobile home with a setoff for amounts paid to him in connection with the prior shipment of his household goods. For the reasons set forth below, we hold that Mr. Stites may be reimbursed for those expenses incurred in the transportation of his mobile home which are allowable under the Federal Travel Regulations, FPMR 101-7, para. 2-7.3a (May 1973) (FTR), with a deduction for amounts previously paid to him for the shipment of his household goods, and limited under 5 U.S.C § 5724(b) to

the maximum amount allowable for shipping and storing household goods under 5 U.S.C. 5724(a).

Incident to a permanent change of station, Mr. Stites was authorized to transport his household goods at Government expense, not to exceed the cost of shipment by Government Bill of Lading, \$1,042.60. After the goods were transported and the employee's claim for \$725.49 was paid by the agency, Mr. Stites repossessed a mobile home which he had previously sold to a buyer in Idaho and shipped it to his new duty station in Utah for use as a residence. Subsequently, Mr. Stites submitted to the agency a reclaim voucher in the amount of \$1,110.11 claiming those expenses incurred in the transportation of the mobile home, \$1,835.60, less the amount previously paid to him as reimbursement for the shipment of his household goods. The specific expenses claimed by Mr. Stites are as follows:

	<u>Item</u>	<u>Amount</u>
1.	Movement of mobile home from Sugar City, Idaho, to Duchesne, Utah, under Government Bill of Lading--	
	Line Haul Charge	\$ 842.00
	Permits	22.00
	Fuel Surcharge	151.60
	Sign Rental	<u>20.00</u>
	Subtotal	\$1,035.60
2.	Pilot car service required by State law--	\$ 300.00
3.	Expenses of preparing mobile home for shipment, e.g., unskirting trailer, disconnecting air conditioner, removing carpet, installing hitch, unblocking and replacing wheels and tires--	<u>\$ 500.00</u>
	Total	\$1,835.60

The agency contends that no additional transportation charges may be paid because Mr. Stites has already been reimbursed for costs incurred in the shipment of his household goods. In this regard, the agency cites our decision in B-184026, 55 Comp. Gen. 228 (1975), and in B-175285, April 20, 1972. The agency further states that, although none of the items listed in the reclaim voucher may be reimbursed as transportation expenses, the \$500 expenditure relating to preparation of the mobile home for shipment may be considered in determining Mr. Stites' miscellaneous expense entitlement under FTR para. 2-3.3b(2).

Payment of the cost of transporting an employee's "house trailer or mobile dwelling" incident to a permanent change of station is authorized by 5 U.S.C. § 5724(b) (1976) which provides as follows:

"(b) Under such regulations as the President may prescribe, an employee who transports a house trailer or mobile dwelling inside the continental United States, inside Alaska, or between the continental United States and Alaska, for use as a residence, and who otherwise would be entitled to transportation of household goods and personal effects under subsection (a) of this section, is entitled, instead of that transportation, to--

"(1) a reasonable allowance not in excess of 20 cents a mile for transportation of the house trailer or mobile dwelling, if the trailer or dwelling is transported by the employee; or

"(2) commercial transportation of the house trailer or mobile dwelling, at Government expense, or reimbursement to the employee therefor, including the payment of necessary tolls, charges, and permit fees, if the trailer or dwelling is not transported by the employee.

"However, payment under this subsection may not

exceed the maximum payment to which the employee otherwise would be entitled under subsection (a) of this section for transportation and temporary storage of his household goods and personal effects in connection with the transfer."

The above statute is implemented by FTR para. 2-7.1a which reads as follows:

"a. Eligibility. An employee who is entitled to transportation of his household goods under these regulations shall, in lieu of such transportation, be entitled to an allowance, as provided in this part, for the transportation of a mobile home for use as a residence * * *."

At the outset, we point out that the language of 5 U.S.C. § 5724(b) provides that the allowance for the transportation of a mobile dwelling is in lieu of reimbursement for the transportation of household effects. Interpreting this subsection, we held in 51 Comp. Gen. 27 (1971) that "an employee may receive a payment in connection with the shipment and storage of his household goods or for the transportation of a house trailer, but not for both." In that case, the employee claimed both \$1,658 for household goods shipment and storage and \$287 for mileage in moving his trailer. We ruled that allowance of the former would preclude the latter.

On this basis, we have denied additional reimbursement to an employee for the expenses of the transportation of his mobile home, where he has already been reimbursed for the shipment of his household goods, because the employee previously has been paid on the more advantageous basis, that is, the reimbursement for shipment of his household goods was greater than he could have received for transporting his mobile home. See: B-177237, March 2, 1973; Richard Stamm, B-189566, December 29, 1977.

Finally, in a case that is closely analogous to the present case, we allowed an employee to revoke his election to be paid for the transportation of his mobile home, so that he could be reimbursed for the subsequent shipment of his household goods, where the latter amount of reimbursement exceeded the amount previously paid to

him for the transportation of his mobile home. He was allowed the expenses of shipping household goods less the amount previously paid to move the house trailer. B-173257, December 9, 1971.

In view of our holding in B-173257, above, we believe that Mr. Stites is entitled to be reimbursed for expenses associated with the transportation of his mobile home, since those expenses exceed the cost incurred in the prior shipment of his household goods. However, the \$725.49 previously paid to Mr. Stites as reimbursement for the shipment of his household goods, must be deducted from the amount determined to be due him for the movement of his mobile home. The total amount payable is limited by the statute to the maximum payment allowable for transportation and temporary storage of household goods, i.e., \$1,642.60.

Our decision in 55 Comp. Gen. 228 (1975), which the agency relied upon, does not preclude the additional payment to Mr. Stites. The issue in that case was whether the employee could be reimbursed for the expenses of purchasing a mobile home at the new duty station. We held that he could be reimbursed for his miscellaneous expenses associated with setting up the mobile home as a new residence. In passing, we assumed that he had already used his transportation allowance to move his household goods, and, if so, we said he would not be eligible for further transportation expenses. We also find nothing in B-175285, above, also cited by the agency, that would preclude payment here.

With respect to the specific expenses claimed by Mr. Stites, paragraph 2-7.3(a) of the FTR enumerates the charges that may and may not be paid by the Government incident to commercial transportation of a mobile home as follows:

"a. Transportation by a commercial carrier.

"(1) Tariff rates. The allowance shall include the carrier's charges for actual transportation of the mobile home in an amount not exceeding the applicable tariff as approved by the Interstate Commerce Commission (or appropriate State regulatory

body for intrastate movements) for transportation of a mobile home of the size and type involved for the distance involved, provided any substantial deviation from mileage shown in the standard highway mileage guides shall be explained.

"(2) Fees, tolls, and charges. The allowance also shall include ferry fares and bridge, road, and tunnel tolls; taxes; charges or fees fixed by a State or other government authority for permits to transport mobile homes in or through its jurisdiction; and carriers' service charges for obtaining necessary permits.

"(3) Charges excluded. Allowances shall not include costs of preparing mobile homes for movement, maintenance, repairs, storage, insurance for valuation of homes above carriers' maximum liabilities nor charges designated in the tariffs as "Special Service." (See 2-3 which relates to the miscellaneous expense allowance.)"

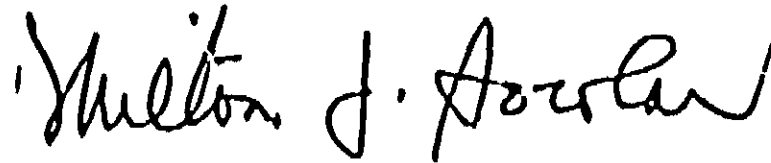
Under the above-quoted regulation, it appears that both the \$1,035.60 and \$300.00 charges listed in Mr. Stites' reclaim voucher are reimbursable as transportation expenses. The reclaimed amount of \$1,035.60 covers charges which are normally imposed by commercial carriers for the transportation of mobile homes, and does not include expenses of preparing the trailer for shipment or other charges which are specifically excluded by FTR 2-7.3a(3). See generally 54 Comp. Gen. 335 (1974). Also, the regulations provide no basis for disallowing reimbursement of expenses for pilot car service, since such service is required by State law and is, therefore, essential to the mobile home's transportation from point-to-point. 47 Comp. Gen. 107 (1967).

Since reimbursement of the cost of preparing a mobile home for shipment as a transportation charge is specifically prohibited by FTR para. 2-7.3a(3), the reclaimed amount of \$500 representing costs incurred in disassembling and reassembling the mobile home may not be reimbursed as a transportation expense under FTR para. 2-7.1a. Nevertheless, as indicated by the agency, those costs may be considered in determining Mr. Stites' miscellaneous expense entitlement

B-207122

under FTR para. 2-3.1b(2), 55 Comp. Gen. 228 (1975);
James C. Frye, B-186499, July 27, 1977.

The voucher is returned herewith for certification
of the allowable amount on the basis stated above.

A handwritten signature in dark ink, appearing to read "Milton J. Aorlan". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Acting Comptroller General
of the United States